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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Tsutomu Watanabe**

Serial No.: 10/828,664

Filing Date: 04/21/2004

For: MUSIC GAME SOFTWARE AND
MUSIC GAME MACHINE

<p>CERTIFICATE OF MAILING, 37 C.F.R. §1.8(a)</p> <p>I certify that this correspondence and the enclosures mentioned therein are being deposited by First Class U.S. Mail with sufficient postage on the date shown below, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p><i>Lewis F. Gould, Jr.</i> Lewis F. Gould, Jr., Reg. No. 25,057 <i>December 28, 2004</i> Date</p>

COMMISSIONER FOR PATENTS
P. O. BOX 1450
ALEXANDRIA, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER

Dear Sir:

Enclosed herewith is an Information Disclosure Statement pursuant to 37 CFR. § 1.56 in connection with the above-identified application, which statement is being filed:

- ☐ Together with the present application.
- ☒ Before the first Office Action on the merits or three (3) months from the filing date of this application, whichever occurs last. [37 CFR § 1.97(b)]
- ☐ After the first Office Action on the merits, but before a Final Office Action under §1.113 or Notice of Allowance under §1.311, whichever occurs first. [37 CFR § 1.97(c)]
- ☐ After a Final Office Action under §1.113 or Notice of Allowance under §1.311, but prior to or with payment of the Issue Fee. [37 CFR § 1.97(d)]

Consistent with Applicant's obligations pursuant to 37 CFR §§1.97 and 1.98, the following requirements have been met:

- ☐ No separate requirements are needed.
- ☒ No additional fee is required.

☐ **Fee Under 37 CFR § 1.97©**

The fee of \$240.00 for submission of an IDS under § 1.97© as set forth in § 1.17(p) accompanies this statement.

☐ **Petition Under 37 CFR § 1.97(d)**

This is a petition requesting consideration of an IDS under § 1.97(d). The petition fee of \$130.00 set forth in § 1.17(i)(1) accompanies this petition.

☐ **Certification Under 37 CFR § 1.97(e)**

Each item of information contained in this statement was either

- (1) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or
- (2) not known to any individual designated in § 1.56© more than three months prior to the filing of this statement.

Provision of Copies of References

☒ A copy of each of the references listed on the attached Form PTO-1449A is enclosed herewith and forms a part hereof.

☒ An English language Abstract is attached to each of the listed references and forms a part hereof.

☐ A copy of the international Search Report from a corresponding International application is enclosed herewith.

☐ A copy of the International Search Report from a corresponding or related PCT application is enclosed herewith, namely, _____.

Identification of Prior Application(s) In Which Listed Information Was Already Cited And For Which No Copies Are Submitted Or Need Be Submitted

- [] This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior Application Serial No. _____, filed on _____. The following references were submitted to, and/or cited by, the Office in the prior application(s) and therefore are not required to be provided in this application:
- [X] The Commissioner is hereby authorized to charge any fees associated with this communication or credit any overpayment to **Deposit Account No. 04-1679**. A duplicate copy of this transmittal is attached.

Respectfully submitted,

Date:

December 28, 2000



Lewis F. Gould, Jr.
Registration No. 25,057
Duane Morris, LLP.
One Liberty Place
Philadelphia, PA 19103-7396
(215) 979-1282

Docket No: 3005-58



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Lewis F. Gould, Jr.
Lewis F. Gould, Jr.,
Reg. No. 25,057
December 28, 2004
Date

INFORMATION DISCLOSURE STATEMENT

COMMISSIONER FOR PATENTS
P. O. BOX 1450
ALEXANDRIA, VA 22313-1450

Sir:

Pursuant to the Duty of Disclosure set forth in 37 CFR 1.56, the materials listed on the enclosed for PTO-1449 are hereby brought to the attention of the Examiner. A copy of each is enclosed.

Appended to the reference cited is an English language Abstract which is submitted as a concise explanation of the respective reference.

The claimed invention is believed patentable over the enclosed references. No representations are made regarding the references other than those set forth above.

Respectfully submitted,

Date:

December 28, 2004

Lewis F. Gould, Jr.

Lewis F. Gould, Jr.
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Docket No: 3005-58



Form PTO-1449 U.S. Department of
Commerce
Patent and Trademark Office

Docket No.
3005-58

Serial No.
10/828,664

Applicant: Tsutomu Watanabe

Filing Date
04/21/2004

Group Art
Unit:
Unknown

INFORMATION DISCLOSURE
STATEMENT
IN AN APPLICATION

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A						
	B						
	C						
	D						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
	A	JP2000-14931A	01/18/2000	JAPAN (English Abstract)				X
	B							
	C							
	D							
	E							

OTHER (Including Author, Title, Date, Pertinent Pages, Etc.)

	A	
	B	
	C	
	D	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and are not considered. Include copy of this form with next communication to the applicant.